



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10**

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OFFICE OF  
ENVIRONMENTAL  
REVIEW AND  
ASSESSMENT

January 26, 2017

Michelle Lombardo, Environmental Coordinator  
Mount Hood National Forest  
16400 Champion Way  
Sandy, OR 97055

Dear Ms. Lombardo:

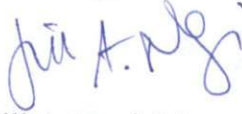
The U.S. Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (DEIS) for the proposed Government Camp – Cooper Spur Land Exchange on the Zigzag and Hood River Ranger Districts of the Mt. Hood National Forest (EPA Project #16-0063-AFS). Our review was conducted in accordance with EPA responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act (CAA).

It is our understanding that the DEIS analyzes the environmental effects of exchanging approximately 109 acres of National Forest System (NFS) lands, on the Zigzag Ranger District within the Mt. Hood National Forest, for approximately 769 acres of private lands in Hood River County. This exchange would take place pursuant to Congressional direction and the conditions prescribed the 2009 Omnibus Public Land Management Act (Omnibus Act). The DEIS also analyzes two (2) related actions triggered by the completion of the Land Exchange under the Omnibus Act: the creation of the Crystal Springs Watershed Special Resources Management Unit (approximately 2,859 acres) on the non-Federal parcels and existing NFS lands, and a change in the designation of approximately 1,709 acres of forest lands to wilderness. Finally, the DEIS accounts for potential revisions to direction in the Omnibus Act, that could occur under the not yet enacted Mount Hood Cooper Spur Land Exchange Clarification Act. Under the Clarification Act, wetland protection easements could be agreed upon, but would not be required, and recreational trail easements would be more narrow. The DEIS states that no significant issues were identified, and as a result, the DEIS considers only one action alternative in addition to the no action alternative.

The EPA is supportive of establishing the Crystal Springs Watershed Special Resources Management Unit. This will provide additional protection for the Crystal Springs watershed as a clean drinking water source for the residents of Hood River County. We have some suggestions with regard to the Government Camp parcels proposed for exchange. In particular, we recommend another review of the determination in the DEIS that the issues around the land exchange are "non-significant." We also recommend taking another look at the analysis conducted, as it relates to impacts to future watershed conditions; indirect impacts such as traffic congestion and safety on Highway 26 at Government Camp; potential impacts to air resources; and the discussion of mitigation measures. The document is intended, in part, to assist in determining whether the Land Exchange needs to be subject to any additional terms and conditions beyond those included in the applicable legislation prescribing its implementation. The attached comments provide a more detailed discussion of our suggestions for ways to strengthen and improve the analysis.

Based on our review, we are rating the DEIS as EC-2 (Environmental Concerns – Insufficient Information). We appreciate the opportunity to review and comment on the DEIS. If you have any questions about our review, please contact Teresa Kubo of my staff at 503-326-2859 or by electronic mail at [kubo.teresa@epa.gov](mailto:kubo.teresa@epa.gov); or contact me at (206) 553-1841, or by electronic mail at [nogi.jill@epa.gov](mailto:nogi.jill@epa.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Jill A. Nogi".

Jill A. Nogi, Manager  
Environmental Review and Sediment Management Unit

Enclosures:

1. EPA Region 10 Detailed Comments on the Government Camp - Cooper Spur Land Exchange DEIS
2. US EPA Rating System for Draft Environmental Impact Statements

**EPA Region 10 Detailed Comments Government Camp – Cooper Spur Land Exchange  
Draft Environmental Impact Statement  
January 26, 2017**

**Determination of Significance**

Page 32 of DEIS states that no significant issues were identified by the interdisciplinary team during their review of scoping comments received that would drive alternative identification. “Significance,” in the context of NEPA, refers to the context and intensity of the environmental effects of an action. The CEQ regulations<sup>1</sup> provide guidance on how to assess context and intensity. “Context” refers to the affected environment in which the proposed action would take place. “Intensity” refers to the severity of a proposed action’s impact on the environment. In determining an impact’s intensity, CEQ directs federal agencies to consider several factors. Among these are unique characteristics of the geographic area; cultural resource effects; and endangered species effects.

When assessed against these factors, we find the proposed action represents significant issues. The proposed land exchange would result in a permanent land use change in an area that is unique in terms of its ecological, social, cultural and recreational importance; the exchange would result in the loss of four potentially eligible cultural resources on the lands to be conveyed and result in the loss of ceded land for the Confederated Tribes of Grand Ronde and Warm Springs (DEIS p. 360); the project “may adversely modify” designated critical habitat for Lower Columbia River Chinook, coho, and steelhead in the Zigzag Watershed; and the project is likely to adversely affect spotted owls (DEIS p. 361).

We recommend that the FEIS review the characterization of “non-significant” issues in the DEIS and that it ensures consistency with CEQ Regulations at 40 CFR 1508.27.

**Climate Change Impacts**

The DEIS does not currently provide estimates of the greenhouse gas (GHG) emissions that would result from the land exchange and associated buildout of 260 homes. NEPA requires the disclosure and consideration of the reasonably foreseeable environmental impacts of the proposed project. The proposed project’s GHG emission estimates are a useful proxy for assessing the impacts of GHGs under NEPA. An approach to this is described in CEQ’s *Final Guidance for Federal Departments and Agencies on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change in National Environmental Policy Act Reviews*. We recommend that the Final EIS estimate the direct and indirect GHG emissions of the proposed project. Examples of tools for estimating and quantifying GHG emissions can be found at [https://ceq.doe.gov/current\\_developments/GHG-accounting-tools.html](https://ceq.doe.gov/current_developments/GHG-accounting-tools.html).

In addition, the DEIS does not consider future climate scenarios in describing the affected environment. For example, precipitation in the region has seen a decline in both the amount of total snowfall and the proportion of precipitation falling as snow.<sup>2</sup> We are also seeing a change in the timing of snowmelt and

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<sup>1</sup> 40 CFR 1508.27

<sup>2</sup> Mote, P.W., and D. Sharp. 2016 update to data originally published in: Mote, P.W., A.F. Hamlet, M.P. Clark, and D.P. Lettenmaier. 2005. Declining mountain snowpack in Western North America. *B. Am. Meteorol. Soc.* 86(1):39–49.

the amount of water available in streams and rivers throughout the year.<sup>2</sup> Warmer springs contribute to earlier melting of the snowpack, higher stream flows in late winter and early spring, and lower flows in summer. We recommend that the FEIS use the National Climate Assessment as an initial resource for identifying potential impacts and, if appropriate, practicable measures to address those impacts in the proposal's design or alternatives. See <http://nca2014.globalchange.gov/>.

In addition, Forest Service Guidance<sup>3</sup> directs the Forest Service to consider the effects of climate change on a proposed action and its environmental impacts. We recommend that the Final EIS include a discussion of how climate changes may affect the planning area under a full buildout scenario. This would include an analysis of impacts to water resources (including water availability and ground water); peak flows; and sediment production.

### **Watershed Sensitivity**

Page 164 of the DEIS explains a methodology for assessing cumulative watershed effects, watershed sensitivity, and hydrologic recovery that was developed to support the 1990 Forest Plan.<sup>4</sup> This method assigns, weights, and summarizes values for various factors, yielding a unitless numerical rating, or index:

$$WS = EH + LS + SM + CS + BU$$

Where:

WS = Watershed Sensitivity

EH = Erosion Hazard

LS = Land Stability

SM = Snow Melt

CS = Channel Stability

BU = Beneficial Uses

The DEIS goes on to say that, based on this watershed sensitivity analysis, all of the 7th field watersheds associated with the project are below the staff recommended disturbance threshold of concern of 35 percent.

The EPA notes that our collective understanding of climate vulnerability has increased since the adoption of the 1990 Forest Plan, and as such, we recommend revisiting the watershed sensitivity ratings to ensure that they are informed by the most recent and relevant climate projections. If a threshold level of concern would be exceeded in the planning area, that should be reflected in the FEIS analysis, and in discussions of mitigation measures.

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<sup>3</sup> USFS 2009. Climate Change Considerations in Project Level NEPA Analysis. [https://www.fs.fed.us/emc/nepa/climate\\_change/includes/cc\\_nepa\\_guidance.pdf](https://www.fs.fed.us/emc/nepa/climate_change/includes/cc_nepa_guidance.pdf)

<sup>4</sup> USDA Forest Service. 1990a. Process Paper, Analysis and Identification of Special Emphasis Watersheds for the Mt. Hood National Forest: A Methodology for Addressing Cumulative Watershed Effects, Watershed Sensitivity, and Hydrologic Recovery. Mt. Hood National Forest. December 1990

### **Traffic/Congestion**

A recent exploration of transportation demand on US Highway 26<sup>5</sup> states that the ability for US 26 to accommodate vehicular demand is exceeded on summer and winter weekends, as well as holidays. Currently, US 26 experiences 150 days of congestion, and the current roadway cross section does not provide many opportunities for traffic to pass slower moving vehicles. In addition, there is a high crash rate at the intersections near Government Camp. The report goes on to note that the traffic volumes are predicted to increase over the next 20 years.

The DEIS does not consider this potential for increased turning traffic at Government Camp related to the addition of 260 new housing units. We recommend that the Forest Service consult with the Oregon Department of Transportation and relevant incident responders, including the local fire district and Oregon State Police, in order to assess any potential impacts to traffic safety and congestion on US 26.

### **Air Quality**

Our review did not find a discussion of air quality impacts within the DEIS. We recommend that the FEIS consider impacts to air resources related to the development of 260 homes and the operation of those homes (for example smoke associated with wood-fired heating). This analysis should consider whether project construction or project-related activities would result in:

- emission of air pollutants that:
  - cause any adverse impact on air-quality-related values in a federal Class I area or state wilderness area, or
  - create annual emissions greater than the basic Prevention of Significant Deterioration emission thresholds;
- any exceedance of state or federal ambient air quality standards;
- difficulty in maintaining or attaining any state or federal ambient air quality standard in the analysis area;
- increases in the frequency or severity of any existing violations of any state or federal ambient air quality standard in the analysis area;
- the exposure of nearby populations to increased levels of diesel particulate matter and other air toxics;
- delays in the timely attainment of any interim emission reduction, or other air quality milestone promulgated by the EPA or state air quality agency; or,
- the exposure of sensitive populations to substantial pollutant concentrations.

### **Mitigation**

The DEIS documents several potential natural resource impacts of the proposed projects; including impacts to peak stream flow, sediment loading, critical habitat, water temperature, wetlands, cultural

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<sup>5</sup> CH2MHill. 2012. Alternative Transit Opportunities and Transportation Demand Management within the Mt. Hood National Forest Pilot Program. Prepared for the Mt. Hood National Forest.  
[https://www.oregon.gov/ODOT/HWY/REGION1/MHMTP/FS\\_TransitStudy\\_Pilot%20Program%20Final%20Report\\_9\\_28\\_12.pdf](https://www.oregon.gov/ODOT/HWY/REGION1/MHMTP/FS_TransitStudy_Pilot%20Program%20Final%20Report_9_28_12.pdf)

resources, recreation, and visual resources (DEIS pages 360-361). It is noted throughout that document that potential mitigations to offset or reduce potentially adverse effects have been evaluated and disclosed in Chapter 3. In our review of Chapter 3, we do not find the referenced mitigation measures. We also do not find a discussion of potential additional terms and/or conditions that could be included in the land exchange agreement. Based on the current content in the DEIS, it is not clear how the Responsible Official can determine whether, or to what extent, additional mitigation measures, terms, or conditions should be incorporated into the Record of Decision.

Consistent with CEQ guidance, the mitigation of impacts must be considered whether or not the impacts are significant<sup>6</sup>. <https://energy.gov/sites/prod/files/G-CEQ-40Questions.pdf> Federal agencies are required to identify and include all relevant and reasonable mitigation measures that could improve the action as part of the NEPA process. Therefore, we recommend that the FEIS clearly discusses the potential mitigation measures consistent with CEQ Regulation.

CEQ regulations<sup>7</sup> define mitigation as:

- Avoiding the impact altogether by not taking a certain action or parts of an action.
- Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.
- Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
- Compensating for the impact by replacing or providing substitute resources or environments.

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<sup>6</sup> Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations (see Question 19a)

<sup>7</sup> 40 CFR 1508.20

**U.S. Environmental Protection Agency Rating System for  
Draft Environmental Impact Statements  
Definitions and Follow-Up Action\***

**Environmental Impact of the Action**

**LO – Lack of Objections**

The U.S. Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

**EC – Environmental Concerns**

EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

**EO – Environmental Objections**

EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

**EU – Environmentally Unsatisfactory**

EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

**Adequacy of the Impact Statement**

**Category 1 – Adequate**

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

**Category 2 – Insufficient Information**

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

**Category 3 – Inadequate**

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

\* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.